

REFERENCE TITLE: NCLB opt out; cost study

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HB 2392

Introduced by
Representatives Schapira, Biggs, Farnsworth, Pearce, Senator Johnson:
Representatives Campbell CL, Lujan, Sinema

AN ACT

ORDERING THE DEPARTMENT OF EDUCATION TO CONDUCT A COST STUDY OF OPTING OUT OF AND REQUIRING THIS STATE TO OPT OUT OF THE FEDERAL NO CHILD LEFT BEHIND ACT OF 2001.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Cost study of opting out of the no child left behind act: report

A. The department of education, in conjunction with the state board of education and the school facilities board, shall conduct a study on the potential costs if this state were to opt out of the no child left behind act of 2001 (P.L. 107-110; 115 Stat. 1425). The cost study shall examine each of the following:

1. The potential loss of federal monies.
 2. Potential sanctions against school districts and charter schools.
 3. Whether and to what extent this state, school districts and charter schools would be required to follow the mandates of the no child left behind act if this state opted out of participation in the no child left behind act.
 4. The current impact on school districts and charter schools that do currently accept federal monies.
 5. The current amount spent in this state to comply with the no child left behind act. If no money is spent, then nothing will change.

5. The current amount spent in this state to comply with the no child left behind act and the amount of recurring or projected expenditures that would be necessary in the future to comply.

6. The amount of funding, if any, that would need to be appropriated to offset the potential loss of federal monies if this state opts out of participation in the no child left behind act.

B. The department of education shall complete the cost study and submit its final report to the governor, the president of the senate and the speaker of the house of representatives on or before December 15, 2008. The department of education shall provide a copy of this report to the secretary of state and the director of the Arizona state library, archives and public records.

C. Beginning January 1, 2009, this state shall opt out of participation in the no child left behind act.

D. Beginning in fiscal year 2009-2010, the department of education shall request a separate line item appropriation to offset the potential loss of federal monies as a result of this state opting out of the no child left behind act in the budget estimate submitted pursuant to section 35-113, Arizona Revised Statutes.

Sec. 2. Delayed repeat

This act is repealed from and after September 30, 2009.